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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/811,478	03/26/2004	William M. Brown	18525-0817	1082

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Philip G. Meyers Law Office  
Suite300  
1009 Long Prairie Road  
Flower Mound, TX 75022

EXAMINER

FRANCIS, MARK P

ART UNIT	PAPER NUMBER
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2193

MAIL DATE	DELIVERY MODE
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02/04/2008

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

# Office Action Summary

Application No.

10/811,478

Applicant(s)

BROWN ET AL.

Examiner

Mark P. Francis

Art Unit

2193

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 26 March 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-17 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 April 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☒ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date 08/12/04.
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- ☐ Notice of Informal Patent Application
- ☐ Other: \_\_\_\_\_.

**DETAILED ACTION**

1. This action is responsive to the application filed on March 26, 2004.
2. Claims 1-17 have been examined.

***Oath/Declaration***

3. The Office acknowledges receipt of a properly signed oath/declaration filed August 12, 2004.

***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:
5. A person shall be entitled to a patent unless –
  - (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.
6. Claims 1-17 are rejected under 35 U.S.C. 102(e) as being anticipated by Moisa.  
(U.S. PGPUB 2004/0030992)

**Independent claims**

With respect to claims 1 and 13, Moisa discloses a computer-implemented system(Col 1:0008, "...a web based integrated collaborative system...") for management of a project,(Col 1:009, "...basic level management...") which project is defined by a series

of development phases,(Col 12:0175, "...four sequential major time periods...") and wherein each development phase of the project must be evaluated by one or more predetermined standards,(Col 14:0194-0195, "...CMM subprocess...ISO 18000...") each of which standards defines a set of quality assurance steps in order to achieve compliance with the standard for each phase, (Col 14:0194, "...means to integrate the standards and documents...")comprising: a host computer; (Col 3:0043,

"...Computer...")

a database stored on data storage media accessible to the host computer,(Col 3:0045, "...Database Management...", Col 5:0091, "...relational database...") the database having discrete records containing information concerning state of completion of the project; (Col 6:0099, "...displaying the activity status...", Col 9:0131, "...Project Status...")and project management software executable on the host computer having program logic for selecting one of the development phases,(Col 12:0174, "...It allows a user to initiate and record all DPA requests,to assign responsibilities...", Col 12:0175, "...Each period may be defined as a Phase ...") displaying a reporting screen containing reporting instructions for the selected development phase, (Col 6:0099, "...displaying the activity status...", Col 9:0131, "...Project Status...") which instructions relate to compliance with the quality assurance steps for that phase according to at least one of the standards, (Col 14:0194-0195, "...CMM subprocess...ISO 18000...") inputting reporting information concerning the selected development phase, (Col 12:0174, "...It allows a user to initiate and record all DPA requests,to assign responsibilities...", Col 12:0175, "...Each period may be defined as a Phase ...") and saving the reported

information concerning the selected development phase. Col 12:0174, "...It allows a user to initiate and record all DPA requests, to assign responsibilities...", Col 12:0175, "...Each period may be defined as a Phase ...")

### **Dependent claims**

With respect to claim 2, the rejection of claim 1 is incorporated and further, Moisa discloses that the instructions ask if one or more documents relating to compliance with one or more of the quality assurance steps for that phase were completed. (Col 6:0099, "...displaying the activity status...", Col 9:0131, "...Project Status...")

With respect to claim 3, the rejection of claim 1 is incorporated and further, Moisa discloses further comprising: selecting a user role; (Col 12:0174, "...It allows a user to initiate and record all DPA requests, to assign responsibilities...", Col 12:0175, "...Each period may be defined as a Phase ...") and displaying a description of what a user having that role should do during the selected phase for each quality assurance step to comply with one of the predetermined standards. (Col 14:0194-0195, "...CMM subprocess...ISO 18000...")

With respect to claim 4, the rejection of claim 3 is incorporated and further, Moisa discloses that the displayed description comprises composite instructions meeting two or more predetermined standards. (Col 14:0194-0195, "...CMM subprocess...ISO 18000...")

With respect to claim 5, the rejection of claim 4 is incorporated and further, Moisa discloses that the predetermined standards comprise ISO and CMM standards. (Col 14:0194-0195, "...CMM subprocess...ISO 18000...")

With respect to claim 6, the rejection of claim 1 is incorporated and further, Moisa discloses that saving the reporting information comprises emailing the reporting information to a quality assurance entity. (Col 5:0089, "...quality assurance management process...")

With respect to claim 7, the rejection of claim 1 is incorporated and further, Moisa discloses that saving the reporting information comprises saving a copy of the reporting information to a data storage medium. (Col 6:0099, "...displaying the activity status...", Col 9:0131, "...Project Status...")

With respect to claim 8, the rejection of claim 3 is incorporated and further, Moisa discloses that the description lists one or more documents required to be completed to satisfy a quality assurance step for the selected development phase. (Col 14:0194-0195, "...CMM subprocess...ISO 18000...")

With respect to claim 9, the rejection of claim 8 is incorporated and further, Moisa discloses that the listed document comprises a hyperlink to the required form. (Col

12:0174, "...It allows a user to initiate and record all DPA requests, to assign responsibilities...", Col 12:0175, "...Each period may be defined as a Phase ...")

With respect to claim 10, the rejection of claim 3 is incorporated and further, Moisa discloses that the displayed description comprises a table having separate entries for each of planning activities preceding the project phase, phase inputs, phase outputs, peer reviews, verification results, validation results, and procedures for handling changes made during the phase. (Col 6:0099, "...displaying the activity status...", Col 9:0131, "...Project Status...", e.g. See Fig. 21 and related text)

With respect to claims 11 and 17, the rejection of claim 1 and 16 are incorporated respectively and further, Moisa discloses further comprising: maintaining as a data file stored on a data storage medium a file containing target completion dates for each phase of the project; (Col 6:0099, "...displaying the activity status...", Col 9:0131, "...Project Status...")

and displaying graphically the phases completed, phases not yet completed and past target completion date, and phases not yet completed not yet past target completion date. (e.g. See Fig. 20 and related text)

With respect to claims 12 and 14, the rejection of claims 1 and 13 are incorporated respectively and further, Moisa discloses that the project management software includes a network interface whereby users can remote access the project management

software through a network. (Col 3:0055, "...A collection of interconnected networks...")

With respect to claim 15, the rejection of claim 14 is incorporated and further, Moisa discloses that user screens for entering and displaying information with the project management software are accessible as html pages. (Col 3:0053, "...the HTML codes...", Col 12:0174, "...It allows a user to initiate and record all DPA requests, to assign responsibilities...", Col 12:0175, "...Each period may be defined as a Phase ...")

With respect to claim 16, the rejection of claim 13 is incorporated and further, Moisa discloses that the database comprises a milestone file of indicators, which keep track of completion of development phases. (Col 3:0045, "...Database Management...", Col 5:0091, "...relational database...")

### ***Conclusion***

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mark P. Francis whose telephone number is (571)272-7956. The examiner can normally be reached on Mon-Fri 8:00-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Meng-Ai T. An can be reached on (571)272-3756. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.



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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Mark P. Francis

Patent Examiner

Art Unit 2193



WILLIAM WOOD  
PRIMARY EXAMINER